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ABSTRACT

This bulletin examines the Office of Juvenile Justice and Delinquency Prevention's Juvenile Accountability Incentive Block Grants (JAIBG) program, which asserts that juvenile offenders should be held accountable for their crimes as a matter of basic justice and to prevent and deter delinquency. It reviews the developmental perspective shaping juvenile accountability and offers case histories illustrating effective practices that promote accountability. The bulletin highlights other JAIBG Best Practices Series bulletins, including: "Construction, Operations, and Staff Training for Juvenile Confinement Facilities" (David Roush and Michael McMillen); Developing and Administering Accountability-Based Sanctions for Juveniles" (Patrick Griffin); "Workload Measurement for Juvenile Justice System Personnel: Practices and Needs" (Hunter Hurst); "Enhancing Prosecutors' Ability to Combat and Prevent Juvenile Crime in Their Jurisdictions" (Heike Gramchow and Elena Tompkins); "Enabling Prosecutors to Address Drug, Gang, and Youth Violence" (Heike Gramchow and Elena Tompkins); "Focus on Accountability: Best Practices for Juvenile Court and Probation" (Megan Kurlychek, Patricia Torbet, and Melanie Bozynski); "Juvenile Gun Courts: Promoting Accountability and Providing Treatment" (David Sheppard and Patricia Kelly); "Juvenile Drug Court Programs" (Caroline S. Cooper); "Establishing and Maintaining Interagency Information Sharing" (Julie Slayton); "Increasing School Safety through Juvenile Accountability Programs" (Scott H. Decker); "Developing a Policy for Controlled Substance Testing of Juveniles" (Ann H. Crowe and Linda Sydney); and "Ten Steps for Implementing a Program of Controlled Substance Testing of Juveniles" (Ann H. Crowe and Linda Sydney). Findings indicate that among the key policies that effective programs have in common are combining restorative restitution and community service with victim input, teaching juvenile offenders how to make positive choices and resolve disputes without aggression, and using flexible, graduated sanctions. (Contains 30 references.) (SM)

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JAIBG BULLETIN

Juvenile Accountability Incentive Block Grants Program

J. Robert Flores, Administrator

April 2003

A Message From OJJDP

OJJDP's Juvenile Accountability Incentive Block Grants (JAIBG) program was created on the premise that juvenile offenders should be held accountable for their crimes both as a matter of basic justice and as a way to prevent and deter delinquency.

This Bulletin provides an indepth history of the JAIBG program, reviews the developmental perspective shaping juvenile accountability, and offers case histories illustrating effective practices that promote accountability.

As the overview of OJJDP's JAIBG Best Practices Series, this Bulletin also highlights information provided by the other Bulletins in the series to enhance the reader's understanding of each of the 12 JAIBG program purpose areas and includes a bibliography of key references from the series to supplement that understanding.

The JAIBG Best Practices Series is designed to help policymakers, planners, and practitioners in their efforts to hold youth accountable for their acts and, by doing so, to protect our communities.

Best Practices in Juvenile Accountability: Overview

Marty Beyer

This Bulletin is part of OJJDP's Juvenile Accountability Incentive Block Grants (JAIBG) Best Practices Series. The basic premise underlying the JAIBG program, initially funded in fiscal year 1998, is that young people who violate the law need to be held accountable for their offenses if society is to improve the quality of life in the Nation's communities. Holding a juvenile offender "accountable" in the juvenile justice system means that once the juvenile is determined to have committed law-violating behavior, by admission or adjudication, he or she is held responsible for the act through consequences or sanctions, imposed pursuant to law, that are proportionate to the offense. Consequences or sanctions that are applied swiftly, surely, and consistently and are graduated to provide appropriate and effective responses to varying levels of offense seriousness and offender chronicity work best in preventing, controlling, and reducing further law violations.

Designed to help States and units of local government develop programs in the 12 purpose areas established for JAIBG funding, Bulletins in this series present the most up-to-date knowledge to juvenile justice policymakers, researchers, and practitioners about programs and approaches that hold juvenile offenders accountable for their behavior—"best practices," as determined by research and experience. An indepth description of the JAIBG program and a list of the 12 program purpose areas appear in this overview Bulletin for the series.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is responsible for administering the Juvenile Accountability Incentive Block Grants (JAIBG) program, made possible by Public Law 105–119 and subsequent appropriations acts. This Bulletin, which is the overview of OJJDP's JAIBG Best Practices Series, discusses key aspects of adolescent development, documents examples of developmentally appropriate accountability, provides an overview of the underlying legislation, and highlights best practices as reported in other Bulletins in this series.

A Developmental Perspective

Holding juveniles accountable for acts that have harmed others must be approached in a developmental context because young people think differently

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than adults, are emotionally immature, and do not have fully formed moral values. Young offenders must be taught to view their victims as people and to view themselves as being more in control of their choices. They must also become successful at something other than crime. Neither treatment nor punishment repairs the damage done to victims and the community by delinquent acts. Juvenile accountability requires a combination of skills building, reparation to victims, and citizen protection in an approach that encourages the development of young people so they become contributors to the community. As the Coalition for Juvenile Justice described in its 1998 report to Congress:

> Because juveniles are developmentally and socially different from adults, . . . they are more likely to be rehabilitated by carefully designed and tested treatment programs than by a purely punishment-based sanction system. . . . Young people who break the law must be held accountable for the consequences of their illegal behavior . . . by a legal system that balances the protection of the community, the developmentally appropriate correction of juveniles who violate the law, and the protection of the legitimate rights of the victims of juvenile crime.[1]

Teenagers tend to be idealistic about what "should be," intolerant of anything that seems unfair, and vulnerable to a moral code that values loyalty above all. Sometimes adjudicated juveniles genuinely believe that their behavior, although wrong in some contexts, is an unavoidable response to higher moral principles of loyalty and fairness. For juvenile offenders to take responsibility for their actions, they must be helped to think beyond their first response to the perceived or real unfairness of adults, lack of opportunity, or rivalry with another group and assisted in understanding consequences.

Fear is another factor that interferes with a juvenile's ability to make choices. When young people are scared and feel cornered, they are often unable (because of a lack of maturity) to think of any way out. Frequently, juveniles who use weapons do so when they feel threatened and their judgment is distorted. For young people who have felt intimidated because of their gender or race or as victims of physical or sexual assault, self-protection is an understandable defense against helplessness. As young people learn about their own experiences as victims, they may alter their self-protective stance and see their victims as real people whom they have put at risk or harmed.

Young offenders need to learn mature thought processes (which include anticipating the consequences of behaviors, developing and following a plan, imagining the worst outcome of actions, seeing alternative choices, and acquiring other aspects of critical thinking skills and abstract thinking) and to gain empathy so they can understand what they have done to their victims and can do to make amends to them and to the community. Efforts to encourage such growth are most effective when they build on each young person's competencies. Finding strengths is not easy because youth often appear to have had little success at anything. Many have neurological problems resulting from substance exposure in utero. Many have failed in school for years. Many live in high-crime neighborhoods where it is difficult not to be involved in delinquency. Many seem hopeless about employment prospects. Young people behave better when their strengths are appreciated and they become involved in programs that build their competencies rather than punish them for their deficits.

Holding juvenile offenders accountable for their actions involves combining what is known about adolescent development, public safety, and the effects of victimization into a process that helps young offenders acquire empathy for those affected by their actions and make changes so they are less likely to put themselves and others at risk in the future.[2] In the JAIBG Best Practices Series Bulletin *Developing and Administering Accountability-Based Sanctions for Juveniles* (further discussed below), Griffin describes three interdependent areas of accountability:

- For young offenders, recognizing what they have done and taking action to make amends to victims and the community.
- For the community, reinforcing young offenders' efforts to make amends by teaching them and volunteering in restitution and mediation programs rather than sending adjudicated offenders out of the community.
- For the juvenile justice system, restructuring "to hold itself responsible for outcomes; . . . and to devise a carefully calibrated continuum of responses to juvenile crime."[3]

The combination of accountability, skills building, and community protection results in young people who understand how their offenses affected others, recognize that the behaviors involved in the offenses were based on choices that could have been made differently, acknowledge to those affected that the behaviors were harmful, take action to repair the harm where possible, and make changes necessary to avoid such behaviors in the future.

Juvenile Accountability in Practice

Case Studies

The case studies on page 3 illustrate the concepts of accountability in practice. (The case studies are based on fact, but the names "Cal" and

Case Study 1: Cal

Cal had a history of trauma and victimization. He had been depressed and obese since childhood, he was teased and ostracized in school, and his stepfather was abusive. With the exception of art, Cal's school record was poor—he was bored and feared punishment by his stepfather for his bad grades. Cal became a follower who would do what peers asked to gain their approval. When Cal and his friends were arrested for burglary, they viewed the crime as victimless because no one was home when they broke in and took bicycles and tools. On learning of Cal's history, the judge determined that punishment alone was not enough to keep Cal from becoming a chronic property offender. The judge referred him to a probation program in which he would have to confront the harm he inflicted on his victims. During group and individual accountability sessions, Cal learned about himself and heard from other youth who felt mistreated at home and school. He learned to make better choices for himself. With the encouragement of his probation officer and his mother, Cal met with his victims, who told him how the burglary affected their lives. The victims wanted Cal to perform community service rather than pay them for the stolen goods. His mother suggested he do something artistic. Cal painted a mural at his school and, with the support of his mother and art teacher, organized other students to help.

This effective accountability intervention gave Cal recognition for a positive ability, which enhanced his sense of competence and self-worth. His success, a major change in his life, made him less likely to engage in negative activities, and his actions made the victims (and through them the community) feel better.

Case Study 2: Maritza

Maritza, a 15-year-old, grew up in a family dominated by alcohol, cocaine, and violence. She was often sent to relatives after witnessing drunken brawls at home. Maritza was known in school as a difficult child whose verbal outbursts resulted in trips to the principal's office. An outspoken critic of school rules and group punishment, Maritza was seen by adults as challenging and rude. The day after an intergroup argument that required police intervention, Maritza was caught entering school with a knife. At a special juvenile weapons court session, Maritza and the judge talked about reliance on weapons in a dispute. Prior to case disposition, Maritza participated in twice-weekly group meetings and learned techniques for alternative conflict resolution and prosocial choice-making. With the help of a program volunteer, Maritza learned to speak assertively without aggression, became involved in dispute resolution training at her school, and persuaded school officials to offer a class in nonviolent problem solving.

This effective accountability intervention used Maritza's strength (her verbal ability) and helped her learn how to channel her anger in positive ways. Maritza developed empathy for her enemy and learned nonviolent problem-solving skills, which made her less likely to become involved in dangerous conflict.

"Maritza" are pseudonyms.) Juvenile offenders such as Cal and Maritza can understand what they have done to their victims if interventions recognize each youth's developmental progress and build on individual strengths. Using a strengths-based rather than a deficits-based approach will help youth develop empathy, learn how to anticipate outcomes of their actions, see alternatives to negative behaviors, and recognize that they have choices when they make decisions.

Cal's story also illustrates the importance of involving parents in helping children to take responsibility for their actions and to capitalize on their strengths. Parents can become the prime motivators in helping adjudicated juveniles achieve success in school and work and develop friendships with prosocial peers. Through the probation program, Cal's mother came to understand the sources of his depression and learned how to support and encourage his competencies.

The stories of Cal and Maritza also show how helping juvenile offenders make amends to their victims and the community may mean providing them ways of giving something to others, often for the first time in their lives. Making amends brings out the best in juveniles and can become a positive life-altering event for them. For both Cal and Maritza, facing the consequences of their actions and developing empathy for their victims were beneficial. Building on their strengths enabled them to experience success and reversed their deteriorating behavior.

Balanced and Restorative Justice

One of the most widely practiced forms of accountability-based sanctions is the Balanced and Restorative Justice (BARJ) approach, which is woven into many of the best practices described in the JAIBG Best Practices Bulletins and highlighted in this Bulletin. As Umbreit notes, in the BARJ paradigm, the "meaning of accountability shifts the focus from incurring a debt to society to that of incurring a responsibility for making amends to the victimized person and victimized community."[4] In summarizing balanced and restorative justice, Umbreit defines accountability as the juvenile's obligation to a victim when the juvenile commits a delinquent act. This definition of accountability posits that the juvenile understands the impact of his or her behavior on the victim and takes action to make things right. Teaching the juvenile how to make choices that do not harm others, through restorative justice in the developmental

context described in this Bulletin, is an important part of State and local implementation of new juvenile accountability initiatives.

The JAIBG Program

The JAIBG program represents the largest Federal allocation of juvenile justice funds since the Juvenile Justice and Delinquency Prevention Act of 1974. The program recognizes the need for a range of strategies and interventions, all tailored to the developmental trajectory of youth, to achieve accountability among juvenile offenders. JAIBG funding offers local juvenile justice systems an opportunity to shift their focus away from punishing young offenders and toward encouraging youth to accept responsibility for their actions and use their individual strengths to make amends to their victims. JAIBG funds make it possible for schools, diversion programs, probation agencies, group homes, and juvenile facilities to establish a context within which youth become accountable by facing their victims through mechanisms such as victim-offender mediation, family group conferencing, and neighborhood reparative boards.

JAIBG Authorization

The accountability programs described in the JAIBG Best Practices Series—and the staff, technology, and facilities needed to implement the programs—were made possible by Public Law 105–119, Making Appropriations for the Departments of Commerce, Justice and State, the Judiciary, and Related Agencies for the Fiscal Year Ending September 30, 1998, and for Other Purposes (Appropriations Act), November 26, 1997. This Act appropriated $250 million for the JAIBG program described in Title III of H.R. 3, as passed by the House of Representatives on May 8, 1997. Subsequent appropriations acts for FY 1999, FY 2000, and FY 2001 have continued funding at approximately the same level for the program. Administered by OJJDP, the JAIBG program is designed to promote greater accountability in the juvenile justice system and help communities become more effective in holding juvenile offenders accountable, reducing recidivism, and protecting students, school personnel, and the community from drug, gang, and youth violence.

State Eligibility and Program Purpose Areas

The *Juvenile Accountability Incentive Block Grants Program Guidance Manual*, issued by OJJDP in 1998 and most recently updated in September 2000, delineates State and local eligibility and program purpose areas. The *Guidance Manual* states:

> In order to be eligible for JAIBG funds, the Chief Executive Officer of each State certified to the OJJDP Administrator consideration [of legislative requirements regarding prosecution of juveniles as adults, graduated sanctions, juvenile record keeping, and parental supervision]. . . . "Consideration" means the deliberation or debate of policies that would result in a State's compliance with the requirements of H.R. 3, as referenced in the Appropriations Act.[5]

The *Guidance Manual* notes that units of local government are eligible to receive allocations of JAIBG funds through subgrants by States and specifies:

> Absent the submission of an application that qualities the State to receive an award, no JAIBG program funds will be available for direct awards to units of local government in such State. . . .[6]

The *Guidance Manual* also notes the following Appropriations Act requirement for eligibility to receive a JAIBG grant or subgrant award:

> [A State or unit of local government] must have implemented, or agree to implement . . . a policy of testing appropriate categories of juveniles within the juvenile justice system for use of controlled substances.[7]

Of the funds available for awards to States in FY 1998, individual allocations, based on population younger than 18, ranged from $1.2 million to $22.5 million per State. The range of allocations was $1.2 million to $21.3 million in FY 1999 and FY 2000 and $1.2 million to $22.1 million in FY 2001. Funds were available for the 12 program purpose areas described on page 5. The Appropriations Act prescribed the percentages of funds that must be expended within specified program purpose areas, unless a State or subgrantee unit of local government certifies and documents that the interests of public safety or crime control require a different use.

Distribution to Units of Local Government

Absent a waiver, a State is required to distribute not less than 75 percent of its allocation among units of local government, using a formula that combines law enforcement expenditures for each unit of local government and the average annual number of Uniform Crime Report (UCR) Part I violent crimes reported by each unit of local government for the three most recent calendar years for which data are available. Two-thirds of each allocation is based on the expenditure data and one-third on the UCR data, in a ratio based on aggregate data for all units of general local government in the State. A unit of local government must qualify for a minimum of $5,000 to be eligible to receive an award. The State retains funds allocated to nonqualified units and must use the funds to provide services for the benefit or use of these smaller jurisdictions. The State or local government recipient of a JAIBG award must contribute, in the form of a cash

JAIBG Program Purpose Areas

- **Purpose Area 1:** Building, expanding, renovating, or operating temporary or permanent juvenile correction or detention facilities, including training of personnel.
- **Purpose Area 2:** Developing and administering accountability-based sanctions for juvenile offenders.
- **Purpose Area 3:** Hiring additional juvenile judges, probation officers, and court-appointed defenders, and funding pretrial services for juveniles, to ensure the smooth and expeditious administration of the juvenile justice system.
- **Purpose Area 4:** Hiring additional prosecutors so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced.
- **Purpose Area 5:** Providing funding to enable prosecutors to address more effectively problems related to drugs, gangs, and youth violence.
- **Purpose Area 6:** Providing funding for technology, equipment, and training to assist prosecutors in identifying violent juvenile offenders and expediting their prosecution.
- **Purpose Area 7:** Providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable and in reducing recidivism.
- **Purpose Area 8:** Establishing court-based juvenile justice programs that target young firearms offenders through the creation of juvenile gun courts for the adjudication and prosecution of these offenders.
- **Purpose Area 9:** Establishing drug court programs to provide continuing judicial supervision over juvenile offenders with substance abuse problems and to integrate administration of other sanctions and services.
- **Purpose Area 10:** Establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice systems, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts.
- **Purpose Area 11:** Establishing and maintaining accountability-based programs that work with juvenile offenders who are referred by law enforcement agencies, or programs that are designed (in cooperation with law enforcement officials) to protect students and school personnel from drug, gang, and youth violence.
- **Purpose Area 12:** Implementing a policy of controlled substance testing for appropriate categories of youth within the juvenile justice system.

match, at least 10 percent of the total program cost (or 50 percent of the cost if JAIBG funds are used to construct a permanent juvenile correctional facility).

Juvenile Crime Enforcement Coalitions

States and units of local government eligible to receive JAIBG funds are required to establish a Coordinated Enforcement Plan (CEP) for reducing juvenile crime, to be developed by a Juvenile Crime Enforcement Coalition (JCEC). To develop the CEP, a State may use members of its State Advisory Group established under the OJJDP Formula Grants program (if group membership is appropriate for CEP development purposes) or may use another planning group that constitutes a coalition of law enforcement and social services agencies.

Units of local government are required to include in their JCECs, unless impracticable, individuals representing the police department, sheriff's office, prosecutor's office, State or local probation services, juvenile court, schools, businesses, and religious, fraternal, nonprofit, and social services organizations involved in crime prevention. A unit of local government may use members of its Prevention Policy Board established under the OJJDP Title V Community Prevention Grants program (if board membership meets the JCEC representation requirement) and may also add other representatives from other groups as appropriate.

Highlights From the JAIBG Best Practices Bulletins

This section presents highlights from all other Bulletins in the JAIBG Best Practices Series. Each Bulletin addresses one or more of the JAIBG program purpose areas listed on this page.

Construction, Operations, and Staff Training for Juvenile Confinement Facilities

David Roush, National Juvenile Detention Association and Michigan State University, and Michael McMillen, corrections architect

This Bulletin addresses JAIBG Purpose Area 1. The authors assert that building more confinement facilities should be the last option for achieving juvenile accountability, despite overcrowding and deterioration of existing facilities and the increasing volume of court orders for placement.

The Bulletin discusses construction decisionmaking, summarizing information on reasons for and alternatives to new construction, and presents a "master planning" process to guide facility planning once the decision to build has been made. It then describes in detail the following elements of facility development:

- Architectural and operational programming.
- Space considerations.
- Design issues, including security and safety, direct supervision, resident group size and classification, environmental concerns, staff needs (support, communication, and supervision), housing (cited as a critical design issue), and programs and services.
- Site selection issues.
- Construction and operational costs.

The Bulletin also addresses facility operations, noting the scarcity of models for successful operation and offering guidelines for three key elements of operation: organizational prerequisites (components of organizational structure on which to base programming), program principles ("core values" that define program purpose and content), and staffing and management principles. The Bulletin then discusses staff training needs and resources and presents a six-step model for developing a staff training program.

Developing and Administering Accountability-Based Sanctions for Juveniles

Patrick Griffin, National Center for Juvenile Justice

Addressing JAIBG Purpose Area 2, this Bulletin provides specific examples of juvenile accountability programs and notes a change in the approach of juvenile justice systems away from the "traditional offender-centered, treatment- and rehabilitation-oriented philosophy . . . and toward an approach that emphasizes additional social goals, including the protection of the public and the promotion of individual accountability." The Bulletin describes Pennsylvania's State Juvenile Court Judges' Commission, which developed a new accountability-based "juvenile justice system role" recognizing victims as clients and emphasizing that offenders should understand the impact of their actions and make reparation to their victims.

The Bulletin focuses on the importance of changing the past "inattention to accountability at the system's entry level" by involving community members in juvenile diversion decisionmaking and in enforcement of diversion agreements, particularly through community accountability boards. Volunteer board members work with young people who live in their neighborhoods. Family group conferences are another approach to enlarging the "circle of accountability." The conferences include extended families of young offenders and their victims, plus other individuals whose opinions matter to the young offender or who can voice the community's concerns about the offense.

In the Bulletin, the components of accountability—acknowledgment of personal responsibility, various forms of reparation, and victim and community involvement in the corrections process—are applied to the intermediate-level sanctions, which include intensive juvenile probation, electronic monitoring, outdoor challenge programs, and work to earn funds for restitution. The Bulletin also describes in detail the development of one county's juvenile accountability efforts in a school-based probation program. Although community accountability may not be possible when youth are incarcerated, the Bulletin does provide examples of secure facilities in which awareness of the victim, empathy, and personal responsibility are stressed.

Workload Measurement for Juvenile Justice System Personnel: Practices and Needs

Hunter Hurst III, National Center for Juvenile Justice

This Bulletin, which addresses JAIBG Purpose Area 3, reviews workload measurement methods and related issues for juvenile court judges, court-appointed defense counsel, probation officers, and pretrial services personnel. The author asserts that a thorough understanding of current juvenile court workloads and the ability to forecast future workloads are necessary if jurisdictions are to make the best possible use of JAIBG resources.

The Bulletin reviews three dominant approaches to determining reasonable caseloads for the judiciary (the weighted caseload, Delphi, and normative methods) and provides examples of implementation and results for each method. With regard to defense counsel, the Bulletin concludes that "the literature addressing approaches to measuring and assessing . . . workload burdens is sparse to nonexistent" and notes that a national assessment of juvenile defense counsel, *A Call for Justice*,[3] found that high caseloads were the most important barrier to effective representation. The Bulletin characterizes the literature on caseload standards for probation officers as extensive and notes the currently endorsed caseload standard of 35 juvenile offenders per probation officer.

The Bulletin states that a court's eligible child population is the best indicator of need for juvenile justice system personnel and proposes the development of a flexible, affordable template for measuring juvenile court workloads. A State or local

government might refer to this Bulletin in planning for additional juvenile court personnel in the context of strategies for streamlining case management (addressed in the Bulletin on enhancing prosecution, described below).

Enhancing Prosecutors' Ability To Combat and Prevent Juvenile Crime in Their Jurisdictions

Heike Gramckow, American Prosecutors Research Institute, and Elena Tompkins, Office of Juvenile Justice and Delinquency Prevention

In this Bulletin, the authors assert that the JAIBG requirement for coordinated planning at the State and local levels is critical to prosecutors, as it "heightens the prosecutor's ability to respond to juvenile crime within a jurisdiction" and also "supports what many successful prosecutors recognized long ago: the role of a prosecutor is not just enforcing the law but also caring for the safety of the community." The Bulletin cites the Ohio RECLAIM project as an example of a coordinated statewide strategy that "provides for a balanced approach of enforcement, intervention, and prevention to hold juveniles accountable."

The Bulletin offers guidance on the application of JAIBG funding as a coordinated initiative within Purpose Areas 4 and 6. It cites a need for hiring more well-trained prosecutors, providing them with the tools they need, developing good case management strategies, and positioning new prosecutors carefully within the existing organization. It cautions that how and where new prosecutors can be most effectively used are questions that must be answered locally, with consideration of factors such as the nature of juvenile problems, statutes governing juvenile justice, and local policy leaders' interests and experience in this area.

The authors make specific suggestions for improved use of prosecutors: reducing delinquency case processing time; improving management and organization of prosecutors' offices; and using a variety of processing strategies, including case screening by experienced personnel, vertical prosecution, fast-track and selective fast-track prosecution, and specialization. The Bulletin also discusses implementation, challenges and barriers, and coordination with other systems and provides examples of models for using and training additional prosecutors.

The Bulletin also offers an overview of issues related to enhancing prosecution of youth through technology. Topics discussed include juvenile record systems, automated case management systems, electronic communication devices, hardware and software, fingerprinting and other identification mechanisms, and drug testing.

Enabling Prosecutors To Address Drug, Gang, and Youth Violence

Heike Gramckow, American Prosecutors Research Institute, and Elena Tompkins, Office of Juvenile Justice and Delinquency Prevention

This Bulletin addresses JAIBG Purpose Area 5 and focuses on trends in juvenile violent, drug-related, and gang-related crimes and the impact of these trends on the court system. The Bulletin provides a statistical summary of crime trends, discusses prosecutorial responses, and describes several prosecutor-led programs to combat the problems of juvenile violence, drugs, and gangs. The programs described range from comprehensive to less extensive in scope; strategies range from prevention to enforcement. Descriptions include information, as available, on benefits, successes, and obstacles to implementation.

Focus on Accountability: Best Practices for Juvenile Court and Probation

Megan Kurlychek, Patricia Torbet, and Melanie Bozynski, National Center for Juvenile Justice

State and local governments involved in designing accountability programs for juveniles will find valuable guidance in this Bulletin, which addresses JAIBG Purpose Area 7. It summarizes complex research on delinquency and offers specific guidelines for effective programming based on that research. The Bulletin describes exemplary juvenile accountability programs, from diversion to intensive supervision to aftercare, and asserts that the following elements are key to effective programs:

- **Use of research findings to guide program development.** This element involves adopting an approach based on an understanding of risk and protective factors, focusing on behavioral change and development of problem-solving and prosocial skills, and using multiple modes of intervention in a highly structured and intensive intervention.
- **Effective implementation and evaluation.** This element involves identifying problems, service gaps, and possible approaches; researching and adapting existing programs; making a commitment to quality in implementation; and conducting both a process evaluation and an outcome evaluation that uses comparative data to document client outcomes.
- **Consideration of the impact of the program on the system and its clients.** This element involves recognizing that systemwide transformation is required if effective juvenile accountability programs are to succeed and thrive.

The exemplary accountability programs described in the Bulletin

incorporate these key elements and represent a variety of approaches, including:

- **Diversion.** These programs hold offenders accountable for their offenses, take steps to repair the damage caused, and provide swift and certain consequences.
- **Mediation and restitution.** These programs involve offenders and their victims in mediation sessions, in which offenders come to understand the harm caused by their actions, victims gain insight into the offenders' motivations, and both parties agree on plans for repaying victims/restoring their losses to the extent possible.
- **Specialized probation supervision.** Specialized probation supervision programs can be effective if they incorporate such critical elements as small caseloads and community involvement.
- **Community reintegration: Aftercare.** These programs provide an extended period of supervision, surveillance, and service delivery for youth returning to the community after confinement, to help prevent recidivism during this transitional period.

Juvenile Gun Courts: Promoting Accountability and Providing Treatment

David Sheppard and Patricia Kelly, COSMOS Corporation

Juvenile gun courts strive to make youth aware of the dangers of firearms and reduce their reliance on guns as a means of dispute resolution. The hallmarks of gun courts are immediate intervention in response to gun possession, attendance as a condition of release or probation, and required parental involvement.

This Bulletin, which addresses JAIBG Purpose Area 8, describes the steps in developing a juvenile gun court with an expanded role for the judge as educator, not just adjudicator, and the involvement of victims, older youth formerly involved with guns, and other community members. It describes in detail a successful juvenile gun court in Birmingham, AL, including its staffing and services from arrest to aftercare. Program outcomes are encouraging. Gun court youth spent less time on probation (but with strict curfews, drug testing, and nighttime home visits by trackers or probation officers) than youth who did not participate fully in the program. In addition, the rates for parental involvement and youth participation in educational programs were higher (82 percent and 90 percent, respectively) and the rate for recidivism was lower (17 percent) among gun court youth than among youth who did not receive the full benefits of the program.

Juvenile Drug Court Programs

Caroline S. Cooper, The American University

The goal of juvenile drug courts is to help young people lead crime- and drug-free lives and strengthen their family support and school involvement. In detailing the steps to implement a juvenile drug court, this Bulletin, which addresses JAIBG Purpose Area 9, emphasizes strong assessment; intensive family, treatment, and skills-building services; parental involvement; and a constructive relationship with local schools. Juvenile drug court teams supervise frequent drug testing and coordinated services.

The Bulletin notes retention rates of 56 to 77 percent for seven exemplary juvenile drug courts nationwide. The author concludes, "Measured by indicators such as recidivism, drug use, and educational achievement, juvenile drug courts appear to hold significant promise."

Establishing and Maintaining Interagency Information Sharing

Julie Slayton, attorney and consultant

This Bulletin, which addresses JAIBG Purpose Area 10, cites research on the importance of interagency coordination to benefit children and families at risk and lists the entities that need to be involved in such coordinated cross-agency efforts. The Bulletin offers an overview of Federal and State laws that must be considered when creating an interagency information-sharing program and notes that, although the laws themselves often do not pose significant problems, the policies associated with the laws or simple misunderstandings of the laws or policies can unnecessarily inhibit information sharing.

The Bulletin discusses key elements of an effective information-sharing program; presents an extensive review of policy and legal issues (including applicable Federal laws); provides an overview of evaluation plans and tools; reviews potential barriers to success (such as lack of funding, lack of trust and collaborative experience among agencies, and technological incompatibilities); and highlights several exemplary information-sharing programs.

Increasing School Safety Through Juvenile Accountability Programs

Scott H. Decker, University of Missouri

School safety programs can hold young people accountable for making dangerous choices before such choices bring them to the attention of the juvenile justice system. In this Bulletin, which addresses JAIBG Purpose Area 11, the author advocates involvement of students, parents, teachers, and the community in enhancing school safety. Student accountability

in school is viewed as consistent with the OJJDP Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders, combining neighborhood involvement, strong police response to delinquency, and the OJJDP SafeFutures program's expanded network of social services for adjudicated juveniles and their families.

The Bulletin notes that successful programs for making schools safer emphasize student involvement, include graduated sanctions appropriate to the seriousness of the misconduct and the history of the offender, and mandate a response to every act of misconduct. The Bulletin also cites Gottfredson's 1997 study of 149 school safety programs," which found that successful programs do the following:

- Increase the school's capacity to support innovation.
- Communicate clear messages about acceptable and unacceptable behavior.
- Enforce rules consistently.
- Emphasize responsible decision-making and problem solving.
- Provide high-risk youth with exposure to thinking skills that enable them to consider alternatives.

The Bulletin lists steps in implementing a school safety program and discusses the potential impact of such programs. It also reviews exemplary programs.

Developing a Policy for Controlled Substance Testing of Juveniles

Ann H. Crowe and Linda Sydney, American Probation and Parole Association

As noted in this Bulletin, which addresses JAIBG Purpose Area 12, the use of alcohol and other drugs is a central factor in the delinquent behavior of many young people, including their involvement in violence and income-generating crimes. The Bulletin cites statistics documenting the extent of substance abuse by youth and summarizes possible consequences of abuse.

Controlled substance testing is a juvenile accountability approach when the test results are used immediately to reinforce abstinence and to discourage use. The Bulletin advises that an intervention should follow every drug test. Youth whose test results show no substance use should receive positive reinforcement and should be challenged to continue their drug-free status. Interventions for youth whose tests indicate drug use should include graduated sanctions and treatment services, as appropriate.

The Bulletin lists the following key elements of a successful drug testing program:

- Involvement of all potentially affected persons in program planning, development, and implementation.
- Good fit between the program's purpose and the agency's mission.
- Clearly defined rationale and procedure for identifying youth to be included in the program.
- Written policies and procedures available to, and read and understood by, all staff.
- Tests administered with sufficient frequency and randomness.
- Intervention following every test.
- Ongoing training for staff.
- Ongoing evaluation to be used for continuous program improvement.

The Bulletin lists 10 steps for implementation (which are covered in detail in the companion Bulletin described next). The Bulletin also discusses the potential impact of drug testing on accountability, and provides program examples including juvenile and family drug court models, testing in juvenile detention facilities, and testing in probation programs.

Ten Steps for Implementing a Program of Controlled Substance Testing of Juveniles

Ann H. Crowe and Linda Sydney, American Probation and Parole Association

Also addressing JAIBG Purpose Area 12, this Bulletin presents a detailed 10-step process for effective substance testing in juvenile probation and detention settings. It includes information for estimating testing costs, a review of significant case law regarding voluntary and coerced testing, and descriptions of successful testing programs around the country. In probation and detention settings, the Bulletin notes, testing is used not to bring further drug-related charges against youth, but rather to design immediate and ongoing intervention. The Bulletin addresses such issues as the reliability of test results, testing prior to adjudication, testing technologies, specimen handling, and effective treatment.

Conclusion

The JAIBG legislation has great potential for helping States proactively and effectively address juvenile crime, providing agencies and organizations with a valuable opportunity to reshape the juvenile justice system in their States. JAIBG funds can help jurisdictions define their philosophy of and approach to public safety with regard to juvenile crime. Funding in the 12 JAIBG program areas enables jurisdictions to define needs, identify and secure resources, and plan, implement, and evaluate effective methods for ensuring juvenile accountability.

Effective programs for promoting juvenile accountability share the following important elements:

- Recognizing where each youth is developmentally and building on each youth's individual strengths.
- Combining restorative restitution and community service with victim input and various approaches to bringing young offenders face-to-face with their victims.
- Teaching juvenile offenders how to make positive choices and resolve disputes without aggression, helping them understand how their actions have affected their victims, and discouraging them from viewing other people as potential targets.
- Using flexible, graduated sanctions and recognizing that punishment does not make a young person accountable.
- Empowering families to support youth's positive activities and efforts to succeed in school.
- Connecting youth with prosocial peers.
- Conducting program activities in the communities in which participating youth live (and, for youth returning to the community after confinement, designing supports prior to release).

The JAIBG Best Practices Series of Bulletins provides States and localities with a wealth of information about juvenile accountability, in theory and in practice. By following up on the ideas and suggestions in this series, policymakers, planners, and practitioners can help change the way youth think about their behavior, ensure that youth take responsibility for their actions, and ensure that victims and communities feel safe and restored.

Endnotes

1. *A Celebration or a Wake? The Juvenile Court After 100 Years*, Washington, DC: Coalition for Juvenile Justice, 1998, pp. 43–44.

2. K. Pranis, *Guide for Implementing the Balanced and Restorative Justice Model*, Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 1998.

3. P. Griffin, *Developing and Administering Accountability-Based Sanctions for Juveniles*, Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 1999, pp. 2–3.

4. M. Umbreit, "Holding juvenile offenders accountable: A restorative justice perspective," *Juvenile and Family Court Journal* Spring:31–41, 1995.

5. R.L. Albert, J. Tuell, C. Holloway, S. Martin, M. Matese, and E. Tompkins, *Juvenile Accountability Incentive Block Grants Program Guidance Manual*, FY 2000 (Revised from FY 1999), Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 2000, pp. 5–6.

6. Albert et al., p. 5.

7. Albert et al., p. 8.

8. P. Puritz, S. Burrell, R. Schwartz, M. Soler, and L. Warboys, *A Call for Justice: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings*, Washington, DC: American Bar Association, 1995.

9. D. Gottfredson, "School-based crime prevention," in *Preventing Crime: What Works, What Doesn't, What's Promising. A Report to the United States Congress*, edited by L. Sherman et al., Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, 1997.

Key References

The following references, drawn from the other Bulletins in this series, provide additional information on juvenile accountability programs.

Altschuler, D.M., Armstrong, T.L., and MacKenzie, D.L. 1999. *Reintegration, Supervised Release, and Intensive Aftercare*. Bulletin. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Beyer, M. 1999. Recognizing the child in the delinquent. *Kentucky Children's Rights Journal* VII(1):16–26.

Butts, J., and Snyder, H. 1992. *Restitution and Juvenile Recidivism*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Cantelon, S., and LeBoeuf, D. 1997. *Keeping Young People in School: Community Programs That Work*. Bulletin. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Coalition for Juvenile Justice. 1998. *A Celebration or a Wake? The Juvenile Court After 100 Years*. Washington, DC: Coalition for Juvenile Justice.

Crawford, D., and Bodine, R. 1996. *Conflict Resolution Education: A Guide to Implementing Programs in Schools, Youth-Serving Organizations, and Community and Juvenile Justice Settings*. Program Report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Danneger, A.E., Cohen, C.E., Hayes, C.D., and Holden, G.A. 1999. *Juvenile Accountability Incentive Block Grants: Strategic Planning Guide*. Summary. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Erickson, L., Weber, C.M., Roth, S., and Lewis, R. 1997. *Distribution Formula: Probation Caseload Reduction Funding*. St. Paul, MN: Criminal Justice Center, Minnesota Planning.

Glick, B., and Goldstein, A.P., eds. 1995. *Managing Delinquency Programs That Work*. Laurel, MD: American Correctional Association.

Gottfredson, D. 1997. School-based crime prevention. In *Preventing Crime: What Works, What Doesn't, What's Promising. A Report to the United States Congress*, edited by L. Sherman et al. Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice.

Gramckow, H.P., and Mims, R. 1998. Community prosecution. In *Promising Practices in Community Justice*, edited by

JAIBG Publications

All of the publications listed below may be accessed online at the OJJDP Web site (ojjdp.ncjrs.org) and, unless otherwise noted, are also available from the Juvenile Justice Clearinghouse at 800–638–8736, 301–519–5500 (fax), and puborder@ncjrs.org.

Best Practices Series Bulletins

Best Practices in Juvenile Accountability: Overview. April 2003. NCJ 184745.

Construction, Operations, and Staff Training for Juvenile Confinement Facilities. JAIBG Purpose Area 1. January 2000. NCJ 178928

Developing and Administering Accountability Based Sanctions for Juveniles. JAIBG Purpose Area 2. September 1999. NCJ 177612.

Workload Measurement for Juvenile Justice System Personnel: Practices and Needs. JAIBG Purpose Area 3. December 1999. NCJ 178895.

Enhancing Prosecutors' Ability To Combat and Prevent Juvenile Crime in Their Jurisdictions. JAIBG Purpose Areas 4 and 6. December 1999. NCJ 178916.

Enabling Prosecutors To Address Drug, Gang, and Youth Violence. JAIBG Purpose Area 5. December 1999. NCJ 178929.

Focus on Accountability: Best Practices for Juvenile Court and Probation. JAIBG Purpose Area 7. August 1999. NCJ 177611.

Juvenile Gun Courts: Promoting Accountability and Providing Treatment. JAIBG Purpose Area 8. May 2002. NCJ 187078.

Juvenile Drug Court Programs. JAIBG Purpose Area 9. May 2001. NCJ 184744.

Establishing and Maintaining Interagency Information Sharing. JAIBG Purpose Area 10. March 2000. NCJ 178281.

Increasing School Safety Through Juvenile Accountability Programs. JAIBG Purpose Area 11. December 2000. NCJ 179283.

Developing a Policy for Controlled Substance Testing of Juveniles. JAIBG Purpose Area 12. June 2000. NCJ 178896.

Ten Steps for Implementing a Program of Controlled Substance Testing of Juveniles. JAIBG Purpose Area 12. June 2000. NCJ 178897.

Fact Sheet

An Overview of the JAIBG Program. Fact Sheet. April 2001. FS 200109. This 2-page Fact Sheet provides a current overview of the JAIBG program.

Other Publications

Juvenile Accountability Incentive Block Grants Guidance Manual. 2000. This publication was designed to help States apply for, receive, obligate, and expend funds provided under the JAIBG program. Available online only, at the OJJDP Web site's JAIBG page (under construction at the time this Bulletin went to press).

Juvenile Accountability Incentive Block Grants: Strategic Planning Guide. Summary. 1999. NCJ 172846. This publication describes the JAIBG program and provides practical advice and recommendations for States and units of local government eligible to receive JAIBG funds.

K. Dunlap. Lexington, KY: American Probation and Parole Association.

Henggeler, S., Schoenwald, S., Borduin, C., Rowland, M., and Cunningham, P. 1998. *Multisystemic Treatment of Antisocial Behavior in Children and Adolescents.* New York: Guilford Press.

Leone, P., Rutherford, R., and Nelson, C. 1991. *Special Education in Juvenile Corrections.* Reston, VA: Council for Exceptional Children.

Loeber, R., and Farrington, D.P., eds. 1998. *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions.* Thousand Oaks, CA.: Sage Publications, Inc.

Montgomery, I., Torbet, P.M., Malloy, D.A., Adamcik, L.P., Toner, M.J., and Andreas, J. 1994. *What Works: Promising Interventions in Juvenile Justice.* Program Report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Mulvey, E.P., Arthur, M.W., and Reppucci, N.D. 1993. The prevention and treatment of juvenile delinquency: A review of the research. *Clinical Psychology Review* 13:133–167.

National Center on Violence Research. 1998. *Violence in the Schools.* Pittsburgh, PA: National Center on Violence Research, Carnegie Mellon University.

Parent, D., Leiter, V., Kennedy, S., Livens, L., Wentworth, D., and Wilcox, S. 1994. *Conditions of Confinement: Juvenile Detention and Corrections Facilities.* Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Pranis, K. 1998. *Guide for Implementing the Balanced and Restorative Justice Model.* Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Puritz, P., and Scali, M.A. 1998. *Beyond the Walls: Improving Conditions of Confinement for Youth in Custody.* Report. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Puritz, P., Burrell, S., Schwartz, R., Soler, M., and Warboys, L. 1995. *A Call for Justice: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings.* Washington, DC: American Bar Association.

Resnick, M.D., Bearman, P.S., Blum, R.W., Bauman, K.E., Harris, K.M., Jones, J., Tabor, J., Beuhring, T., Sieving, R.E., Shew, M., Ireland, M., Beringer, L.H., and Udry, J.R. 1997. Protecting adolescents from harm: Findings from the National Longitudinal Study of Adolescent Health. *Journal of the American Medical Association* 278(10):823–832.

NCJ 184745

Roush, D.W., ed. *Desktop Guide to Good Juvenile Detention Practice*. 1996. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Schonberg, S.K. 1993. *Guidelines for the Treatment of Alcohol- and Other Drug-Abusing Adolescents*. Rockville, MD: U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration.

Stahl, A.L., Sickmund, M., Finnegan, T.A., Snyder, H.N., Poole, R.S., and Tierney, N. 1999. *Juvenile Court Statistics 1996*. Pittsburgh, PA: National Center for Juvenile Justice.

Tolan, P., and Guerra, N. 1994. *What Works in Reducing Adolescent Violence*. Boulder, CO: Center for the Study and Prevention of Violence, University of Colorado at Boulder.

Torbet, P.M. 1996. *Juvenile Probation: The Workhorse of the Juvenile Justice System*. Bulletin. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Umbreit, M. 1995. Holding juvenile offenders accountable: A restorative justice perspective. *Juvenile and Family Court Journal* (Spring):31–41.

University of Michigan Survey Research Center. 1998. *Monitoring the Future*. Ann Arbor, MI: University of Michigan.

Wilson, J., and Howell, J. 1993. *Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

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